

ART AND ■■■ THE ■■■ PUBLIC REALM BRISTOL ■■■■■

**Bristol City Council
Public Art Commissioning Toolkit
June 2023**



APRB

The Bristol City Council's Core Strategy Policy BCS21 is a condition for planning. It ensures that Public Art and Culture are key ingredients for successful 'good quality urban design'.

Since the Policy became active in 2000, Bristol City Council have supported over 150 projects to come to life as a result of development management obligations. This has added value to multiple development schemes, employed more than 250 artists and producers and engaged thousands of people over the past 20+ years across Bristol's public realm.

This document is for developers, planning agents, public art consultants and artists, to explain and clarify Bristol City Council's interpretation of, and approach to, Public Art commissioning as a result of Policy BCS21 in the Local Plan.

**Please note that the Public Art Strategy (2003) is still live and relevant, however this Toolkit is a live document and should be referenced for Bristol City Council's up to date guidance on process and expectations.*

This Toolkit is a working document and may be updated by the Public Art Team. If an amended document is uploaded the date of upload will be noted on the title page. Please ensure you are referencing the latest version where possible.

Introduction

Bristol City Council are dedicated to making imaginative, meaningful and sustainable cultural experiences happen across our public realm as a result of planning policy. We believe that putting culture at the heart of place, considering creative opportunities early, and investing in people and process alongside high quality urban design can create the most successful places to live, work and move through.

Public Art contributes to both the strategic objectives of Development Management and Strategic Planning to achieve 'good quality urban design,' and the vision of Bristol Council's Culture and Creative Industries service: 'to connect the city and its citizens through culture'.

Good public art planning and delivery enriches both the physical and the social fabric of the city. It also builds relationships between the built environment, public realm and the city's creative sectors. Hundreds of thousands of pounds per year is invested through development management in artists and producers to create unique commissions with and for our city, employing and engaging thousands of residents and visitors in cultural activity each year.

Bristol City Council's approach to public art commissioning has expanded in the past ten years. Whilst public art traditionally might be seen as only permanent sculptural works integrated physically within the built environment, Bristol's revised approach is much more open, encouraging the commissioning and delivery of a breadth of meaningful projects, tangible and intangible, that resonate with people and communities and enhance the character and identity of our city.

Whatever the creative outcome, there are some fundamentals we expect because we know these are essential for successful Public Art.

- Public art should be site specific or community specific, have a clear purpose and be supported by the community it serves and/or in which it is located.
- It will invest time and money in creative people and the creative process.
- It benefits from a deep understanding of physical, social, cultural context of the development site

- It often encourages collaboration; between design teams, delivery areas, service users, communities; to achieve accessible and engaging creative outcomes for all

Major (10-99 units) and Super major (100 + residential units) schemes that trigger Policy BCS21 will be required to demonstrate how they will support Public Art and commit to the ongoing process in their planning applications by commissioning a Public Art Plan written by an external Public Art Consultant, and then delivering against this plan.

This toolkit provides the most up to date guidance around the specifics for planning condition delivery. It explains the process for delivering public art from planning condition to delivery on site, to make this as straightforward as possible, whether you are a developer, landowner, property agent, public art producer or artist.

It sets out what we mean by Public Art, our key principles, the role it plays in place-shaping, and the mechanisms by which Public Art is procured and delivered through the planning system.

It is embedded with, and links to Bristol's [Art in the Public Realm](#) website which provides an archive of past and current projects to inspire, answer frequently asked questions and provide resources and shares opportunities.



Kathy Hinde, *River Echoes*, 2022, Castle Park View. Photo: Max McClure

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1. Five Key Principles

Bristol's approach to Public Art approach is underpinned by five principles:

Social engagement

Creatively engaging, informing and empowering our citizens, communities and stakeholders.

Vibrant place making

Imagining and contributing to liveable, loved, playful and unique places to live, work and move through.

Sustainability

Supporting a programme of work that contributes to a socially and environmentally and sustainable city.

Quality urban design

Embedding quality public art and cultural consideration into schemes as early as possible to maximise economic, civic and social value for developers, residents and users.

Creative ecology

Nurturing Bristol's creative ecology by commissioning artists and producers and providing space to allow their vision and ideas to thrive.

The earlier Public Art planning that aligns with these principles is embedded into schemes, the greater the value (economic, social and more) to all stakeholders.

2. What do we mean by Public Art?

The term 'Public Art' refers to art that is in the public realm, regardless of whether it is situated on public or private property or whether it has been paid for with public or private money. For Bristol City Council our priority is public art that is in public space and accessible to all to visit and experience.

When we think about 'Public Art' we often imagine static, permanent sculptures in parks, roundabouts or public squares, but it can do so much more than be something to walk to or drive by: it can re-engage, amplify, celebrate and immerse people in a space or place.

[Ixia \(the National Public Art think tank\)](#) describes it as 'art commissioned as a response to the notion of place, art commissioned as part of the designed environment, and process-based artistic practice that does not rely on the production of an art object.'

Bristol Council accords with this broader approach to Public Art, approaching it as a diversity of creative practice and cultural experience that takes place in the public realm.

In terms of these expanded definitions this might include:

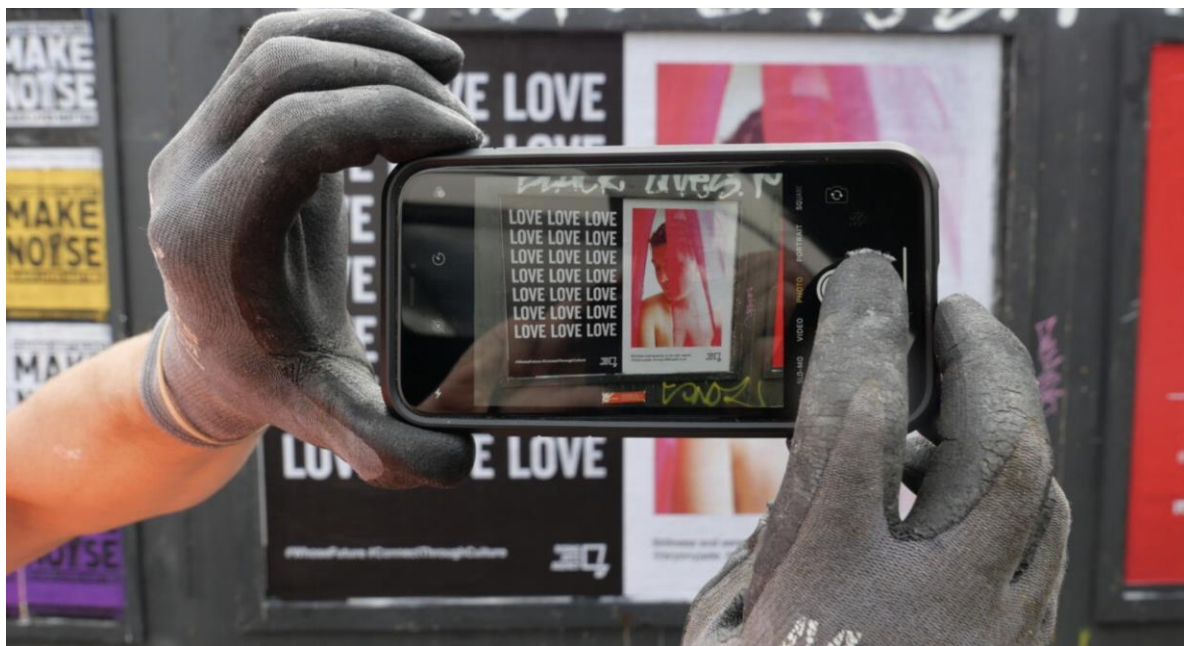
- **Providing space**, assets or infrastructure where culture can be 'consumed' by audiences or 'produced' by artists and creatives e.g. studios, community space and resources, performance space.
- **Commissioning cultural 'happenings'**, that engage people and communities creatively and activate and animate public realm e.g. performance, temporary creative interventions and installations.
- **Artist-led design** to support functional requirements for built environment and public realm e.g. lighting, way-finding, colour schemes, landscaping and green space.
- **Commissioning temporary or permanent artworks** as part of a layered programme in the public realm e.g. artist commissions creating points of welcome, reflection, celebration, playfulness, delight.

What could this look like?

This list is not extensive but gives some examples of creative outputs that could be explored:

Category	Type of Work
Permanent	Sculpture
	Land art / environmental art
	Kinetic works
	Sonic works
	Water works
	Text based works – publications or interpretative educational materials
	Cultural infrastructure
	Temporary
Exhibitions	
Film & Video	
Web based media	
Bursaries	
Artists in Residence	
Text/spoken word	
Performance	
Hoardings/posters	
Street theatre/carnival	
Local training for artists	
Interior commissions (only acceptable in buildings/areas truly accessible and welcoming to the public)	Architectural glass
	Textiles
	Sculpture
	Painting, prints, photography

	Floor treatments
	Furnishings
	Facades and cladding
	Lighting
Exterior commissions / integrated	Landscape schemes and trees
	Artist designed street furniture
	Tiling
	Murals – <i>please note Bristol City Council do not encourage the proposal of murals as public art provision unless under exceptional circumstances.</i>



Rising Arts Agency, *Whose Future*, 2020 Bristol Citywide. Photo courtesy Bristol City Council.

What makes it Public Art and not just Design?

What makes a creative project qualify as Public Art instead of 'Design' is the engagement of an artist. Working with an artist immediately invests in an imaginative, alternative perspective. In the widest possible sense, an artist could

be a visual artist, a writer/author, a musician, a poet, an activist or an environmentalist, exploring a variety of different ideas through their creative practice.

Bristol Council believes in supporting and trusting artists to be a key part of this process, with artists and creatives in the city having local, national and internationally respected expertise.

Whilst creative in their own profession, a member of the design team (for example The Landscape Architect or the Architect), cannot also be the artist of a proposed Public Art project.

Artists should be engaged early to collaborate with stakeholders, explore and communicate complex issues, re-engage with heritage and enable local people to contribute meaningfully to the future of the places where they live, work and play.

There are many different ways that artists can work collaboratively and engage meaningfully in development.

These may include –

- **Contributing creatively to development frameworks**, master plans and visions of a locality;
- **Working as an embedded member of design teams**, being engaged early with the context of the development to be involved in imaginative design solutions.
- **Working directly with communities** through creative engagement. This can mean drawing out specific qualities of place, aspirations and priorities of an area and activating sites as they undergo change.

The type of collaboration and outputs of a programme will depend on the nature of the development, the opportunities it presents for people and place and the particular needs of the site or locality for all stakeholders.

3. Public Art: Social Value

‘It is crucial for Bristol to “build back better”, and Social Value has a key role to play in tackling the city’s economic, social and environmental challenges.’

[Bristol City Council Social Value Policy February 2021](#)

Whatever the creative outcome, we encourage a public art approach that also values social impact. The three aims of the council’s Social Value Policy will already be familiar developers looking to invest in the city.

- **Reduce poverty and inequality**
- **Enhance community, economic and social wellbeing**
- **Increase the city’s resilience and environmental sustainability**

We see public art and cultural delivery as having a particularly powerful role addressing the first two aims in particular by:

- supporting local people with opportunities for life-long learning, skills development and experiences of work
- supporting the creation of high quality, affordable and sustainable homes and inclusive public spaces

We will be developing a new Cultural Social Value toolkit in 2023/4 to provide guidance for commissioners, providers and bidders around ways cultural and public art commissioning can meet the council’s Social Value Policy. This will be available via the Art in the Public Realm website in due course.

Our belief is investing money and time in people and process (artists, producers and communities) creates a different kind of legacy – one of local empowerment, ownership and identity.

4. Public Art Financial Value and Expectations

The BCC Public Art Policy BCS21 is triggered by Major or Super Major schemes (see glossary of terms) and is a condition for planning to ensure good quality urban design. We advise investment in this according to the national **Percent for Art** approach, initiated in 1991 by Arts Council England. This is referred to in Bristol City Council's 2003 Strategy and is still followed as a well established principle.

Bristol City Council recognise the 'percent' as meaning 1% of the capital construction cost of developments.

In line with the national guidelines the City Council expect that 1% of the total build cost is allocated to public art and culture to mitigate the impact of the development on people and place.

The 1% contribution should cover:

- a) Producer fees / project management;
- b) Artist's fees, fabrication and installation;
- c) Public engagement and consultation costs;
- d) Commuted sum for maintenance and decommissioning plan;
- e) Community, education and skills development programmes;
- f) Project documentation, comms and evaluation costs.

The 1% contribution excludes the preparation of materials required to be submitted with full Planning Applications. For example, the writing of a Public Art Plan/ Strategy by a Public Art Producer of which the budget should be treated separately. Where public art proposals are not submitted with Planning Applications, the City Council may refuse the application. (see process and procurement).

We encourage public art investment to be matched with wider budget where a culture led approach could add further value. For example, scheme budgets for public realm, landscaping, decorative schemes / surfaces play etc, or unlocking creative space through former use assets.

We aim for an engaged approach between the city and developer/s to enable a public art solution that is both achievable and value-adding for both the scheme and the city rather than an unnecessary and expensive 'add on'.



Andy Ingamells, *Up Down Left Right*, Salvation Army Citadel Bristol, 2017. Photo Max McClure
Courtesy Bristol City Council.

5. Public Art Procurement Process

Public Art is procured via either Section 106 or Developer Condition and contributions, and is agreed and delivered through a staged process.

Depending on the agreement made with the case officer, the Condition can be –

- Pre commencement (entire site - preferred)
- Pre-Occupation

Public Art Condition

Prior to the commencement of the development hereby permitted, a Public Art Plan shall be submitted to and approved in writing by the Local Planning Authority. The Plan should be written by an external Public Art Producer and should include information on the budget, commissioning, integration of public art within the development, and environs (where appropriate), timetable for those works and details of the future maintenance responsibilities and requirements. All public art works shall be completed in accordance with the agreed scheme and thereafter retained as part of the development, unless otherwise agreed in writing by the Local Planning Authority.

Reason:

To ensure the delivery of meaningful Public Art as part of the development in accordance with the Public Art opportunities, requirements and design integration established in the Public Art Plan in the interests of the amenity of the area.

5a. Individual, single developer schemes

Usually the developer commissions and pays a Public Art Producer direct for their services over a 2 stage process. The Producer manages the delivery budget with the developer making payments to artists and subcontractors as per the budget schedule. Alternatively, the Producer may be transferred the entire budget and is contracted to manage the subcontractors themselves.

Stage 1: Public Art Plan

The first part of the public art planning condition is met by commissioning a Public Art Plan by an external Public Art Producer /Consultant. A cohesive plan will enable a developer to plan an approach that meets the needs and opportunities of their specific scheme. It may also contribute to meeting agreed social value indicators.

The contents of the document are a planning matter and need to be upheld and committed to by the developer. Dependent on the specifics of the condition, it will often not be discharged on the submission of the Art Plan, but left open or part discharged, to ensure that full delivery of the plan is executed.

To ensure a meaningful and relevant approach to commissioning, if looking at a pre-commencement or a pre-occupation condition, BCC understand that it is not always possible to define specific details at Public Art Plan stage, and would not expect a list of appointed artists or creative outcomes to be listed in the Public Art Plan initially. Whilst the overarching ambition and quality of the programme should remain unchanged, these details can be added later – and should respond to engagement and further site research.

The Public Art Plan should set out the strategic approach to meeting the requirement for public art/culture within the development. It should be well structured and managed to ensure cohesion between the vision of the client, artists and all participating stakeholders.

For more detail on suggested contents for a Public Art Plan please see the Appendix.

Stage 2: Public Art Delivery

Once the Public Art Plan/Cultural Strategy is approved by the Local Planning Authority's Public Art Officer, delivery of the proposed plan can begin.

Additional details of artists' proposals can be submitted separately to the Public Art Producer for sign off, in addition to any amendments or proposed changes to the programme.

5b: Multiple developer schemes

Where the opportunity presents itself, such as within key regeneration areas, Bristol Council encourage and support a joined-up approach to Public Art commissioning across multiple plots, through investment in a site wide Public Art Plan coordinated by one Public Art Producer/Consultant.

This relates to schemes which bring together multiple developers, partners, stakeholders and communities; existing and new. They are areas where Bristol City Council is working to improve the city's built environment, reduce social exclusion, strengthen the city's economy and improve access to employment and training; areas with shared agendas and synergies. Culturally strategic thinking and Public Art planning and delivery is an important contributor to identity, character and sense of place for these key regeneration areas.

This may take place over a 3 stage process, but with active support from Public Art, Culture and Regeneration teams to ensure this does not impact negatively on individual developer's delivery timelines.

Stage 1: Site-wide or multiple developer Public Art Strategy

This will often cover different plots / schemes and will –

- Contain the site wide philosophy and key drivers across the development area;
- Set out a vision for how Public Art will support the delivery of the principles in the specific Placemaking Framework and/or Delivery Plan;
- Create opportunities to pool resources around shared priorities and create more meaningful and impactful public art offers in the interest in the amenities of the area;
- Provide a mechanism for different plots to discharge the condition, and not be held up by other developments.

The Local Authority can provide a service in this context by recruiting and supporting a Public Art Consultant to develop the site wide strategy, providing a link between landowners and key stakeholders in the area (see below for specifics of this service).

Stage 2: Individual developer site plan

This becomes an appendix to the site-wide plan

Stage 3: Individual developer delivery plan

This becomes an appendix to the site-wide plan

Although this process includes an additional stage, in practice areas of the stages can progress simultaneously to ensure there is no delay to individual developer schemes construction and planning discharge.

Pooled resources around shared priorities

In cases where the site wide strategy identifies opportunities to pool resources around shared priorities, and create more meaningful and impactful public art offers through collective developer approaches and investment, a site wide **Charter** can be drafted and agreed.

An example of a charter approach is the [Privately Owned Public Space \(POPS\) Charter](#) in Nine Elms. Bristol has not undertaken a public/private Charter approach to date, but will be open to considering this in the future.

6. How we can help

Bristol City Council are dedicated to working with developers, stakeholders and communities to enable imaginative public art and meaningful and sustainable

cultural experiences to happen across the city's built environment and public realm as a result of planning policy.

To support this process we offer a range of services, gratis and costed, bringing together cultural development, urban design, and engagement expertise to support developers to discharge the public art condition imaginatively and efficiently.

Gratis (non-cost) support services

The role of the Public Art Officer is to support and guide developers and external agents in condition discharge processes relating to Public Art ensuring ambitious, high quality and meaningful outcomes (see 5 key Principles).

The Public Art Officer works strategically with Development Management and City Design to ensure Public Art opportunities are identified, conditioned against, delivered and discharged as a result of Policy BCS21.

In the joined up approach to commissioning outlined above, the Public Art Officer will be involved in the following planning matters:

- Liaising closely with case officers to ensure Public Art conditions are placed on approved schemes in regards to Policy BCS21;
- Provide guidance on the condition discharge process for landowners/developers;
- Approve Public Art Plans, Appendices and additional details;

The Public Art Officer may also sit on any advisory panels put together by the Arts Development team to provide feedback on the appointment of Consultants and artists in addition to feedback and sign off of Public Art Plan contents.

Costed services

The wider Public Art team can take on a role as a charged service to support site-wide or multiple developer Public Art Strategies and planning.

In this context the role might include:

Working on behalf of multiple developers and stakeholders to scope or commission a cross-site Public Art Strategy

- Managing multiple developer contributions towards delivery of cross-site Public Art Strategy
- Write the Public Art Consultant Brief;
- Running open call or closed appointment (whichever appropriate) for Public Art Consultant and manage their appointment;
- Supporting the appointed Public Art Consultant to develop the Outline Strategy,
- Identifying opportunities, delivery mechanisms and supporting links between landowners and key stakeholders in the area.
- Commissioning and supporting creative engagement with communities and stakeholders

Scope and service offer negotiated on a case by case basis with partners and stakeholders.



Assemble, *The Cloud*, Bridge Farm Primary School. 2016. Photo Max McClure courtesy of Bristol City Council and Arnolfini

7. APPENDIX

a) Glossary of Terms

Public Art

The term 'Public Art' refers to art that is in the public realm, regardless of whether it is situated on public or private property or whether it has been paid for with public or private money. (Tate definition). Please refer to the section on what is public art? In this document for a fuller understanding of Bristol City Council's approach to the terms and the opportunities it presents.

Public Art Plan

A Public Art plan lays out a developer approach to public art that meets Bristol Council's definition and principles, and the needs and opportunities of their specific scheme. An outline plan created with a public art consultant is recommended at Pre-application stage, with detail on delivery details added as the scheme progresses through the planning pathway.

Culture

Culture means many different things to different people including music, art, history, heritage, events and experiences where Bristol's diverse citizens can share, celebrate or learn. Culture also relates to how we understand, explore and inhabit places and contributes to how the communities that live there thrive.

Social Value

Social value is a way of understanding and measuring the benefit to society from the delivery of goods and services. It is an approach used to broaden thinking about 'value for money' beyond financial cost or price, by considering the value of social, economic and environmental benefits too.

Cultural Strategy

A Cultural Strategy in a place shaping context takes a connected, cohesive approach across a defined physical area to ensure a strong and appropriate cultural life can be safeguarded and encouraged to grow to contribute to welcoming, distinctive and attractive places.

Charter

A charter is a collaborative or partnership agreement connected to shared priorities and/or physical delivery such as green space, connectivity, way finding. It can be a collaboration between public, private and community partners with a clear agreed Memorandum of Understanding.

Major schemes

The use of the term “major” in the Core Strategy is being taken as literally all major planning applications as defined by DCLG ie. 10 residential units / 1,000 sq m of floorspace or more. Please note that the public art threshold activation for schemes in this size category (10-99 units) will be dealt with on a case by case basis.

Super major schemes

All super major development proposals (100 residential units / 10,000 sq m of floorspace or more) and major developments that involve significant public realm change or intervention (as agreed by the Urban Design Team Manager).

b) Public Art Plan Contents Guidance

Public Art Plans should include but are not limited to –

Introduction

- Strategic Approach to meeting the requirements for public art within the development;
- Set out the commissioning environment and the details of the proposed projects including procurement methods and programme;
- Details of the project team (if known) and key contacts to be set out.

Development Location and Context

- Any key excerpts from the Design & Access Statement that set out the cultural ambitions for the development;
- Relevant information on, site analysis & location, including images and maps where appropriate;

History of the Site

- Where relevant, historic significance, research into uncovered stories and the history of use of the site should inform the contemporary commissioning approach

Creative Rationale

- It is encouraged and often useful to set the commissioning principles that both the Producer, developer, BCC support, to ensure these ingredients are prioritised and included. These can be bespoke, but examples include: Promoting and enhancing a sense of identity, prioritising process and participation, open and responsive approach, creating new partnerships, skills development, investing in community, support resilience of local ecology, valuing sustainability, encourage collaboration, creating a legacy etc..
- This section should also outline a creative approach;
- It should also identify the key opportunities the site presents and how these have been identified;
- It should detail who the programme will engage and how;

Artist Commissions

You may want to include a section that goes into more detail on how many artist commissions are intended within the programme. This could be set out by identifying the aims, process and potential outcomes for the different commissions. Following pages could then detail the potential projects in more detail, suggesting artists and including images that show thorough research has been carried out against these options. What could each of these options look like? Again, unlikely they will be able to be 100% defined at this stage, but the information should show scale of ambition, quality and approach.

Delivery Mechanism

We would expect to see a section that details the delivery mechanism for the commission, including a condition discharge timeline.

Procurement

This section should set out the best practice methodologies and ways of working to deliver successful public art/culture provision with artists. BCC supports and encourages early integration within schemes so that artists and creatives can influence the designs and contribute positively and meaningfully to placemaking.

Budget

- We strongly advise that this is 1% of the overall construction cost in line with national policies of 1% for art.
- Where this isn't possible, a budget relative in scale to the scheme size and opportunities should be agreed. The Public Art Officer is often involved in these conversations and can provide guidance.
- Where possible the budget will be grown by partnering it with aspects of the cost plan, for example within elements of the public realm detailing.

Good Practice

Good practice indicators that BCC support are the following –

- *On large scale schemes, setting up and use of a Project Commissioning Group is advised;*
- *The continued use of a Public Art Producer / Art Consultant throughout delivery;*
- *Open, clear and inclusive decision making;*
- *The development of clear project briefs;*
- *Where possible to pay prospective artists for Interview preparation and time in advance of appointment;*
- *Working practices in accordance with BCC's Strategy for Public Art (2006);*

Art Management

It is usual to include a section which details the agreed roles and responsibilities of the Public Art Consultant in this context.

Maintenance

Commissioned work is usually expected to be low maintenance. To maintain the integrity of the artwork a maintenance plan and schedule for any permanent work should be agreed with the client / Bristol City Council. On approval of the maintenance plan the client / Bristol City Council (whoever is in continued ownership of the public realm) should agree to maintain the artwork for its agreed life span. The artist will be expected to consider the maintenance within their overall project costings. Any permanent work should have at the end of its agreed life span an agreement between the client / Bristol City Council and the artist, outlining a series of decommissioning options to maintain the integrity of the artwork, client and artist reputation.



Morag Myerscough, *Wonder Pavilion*, Glenfrome Primary School, 2014. Photo Max McClure
Courtesy of Bristol City Council and Arnolfini.



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